



LIEUTENANT GOVERNOR OF MISSOURI
JEFFERSON CITY
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PETER D. KINDER
LIEUTENANT GOVERNOR

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May 26, 2016

President Barack Obama
The White House
1600 Pennsylvania Ave NW
Washington, D.C. 20500

Dear President Obama,

I am writing to express my total opposition to the "Dear Colleague" letter of May 13, issued by your appointed leaders at the Department of Education and the Department of Justice, dictating how public schools must run their facilities and programs to accommodate students who claim transgender status.

The letter and its demands are an unconstitutional abuse of authority by your executive branch. It is a blatant attempt to change established law, which is a function reserved for the legislative branch by the Constitution. By threatening local school districts with the loss of federal funding, your administration is seizing local control from public schools while threatening the privacy rights of Missouri students. Further, the demands set forth in the letter directly violate the Constitution's 10th Amendment, which states that those powers not delegated to the federal government are reserved to the states, respectively, or to the people.

The Dear Colleague letter goes against the majority of federal and state court decisions on this issue, as well as the clear text of Title IX and its regulations, all of which allow school districts to address these delicate issues as they see fit, when and if they arise. The letter puts Missouri public schools in the unjust position of having to choose between either doing what they know is best for their particular student population or receiving federal funding. School districts that feel forced to follow the letter's decree in order to continue to receive funding will undoubtedly open themselves up to huge liabilities and potential lawsuits for violating students' privacy rights and undermining parental authority rights.

Missouri schools must not be forced to comply with this extraconstitutional decree and the practical implications it would have on their operations and on their students. Please have the "Dear Colleague" letter of May 13 rescinded immediately. Its demands amount to a serious, unconstitutional infringement on the liberties and lives of the people of Missouri.

Sincerely,

A handwritten signature in black ink that reads "Peter Kinder". The signature is written in a cursive style with a large, stylized "P" and "K".

Peter D. Kinder
Lieutenant Governor of Missouri

Cc: Catherine Lhamon, assistant secretary for civil rights, U.S. Department of Education;
Vanita Gupta, principal deputy assistant attorney general for civil rights, U.S. Department of Justice

The following members of the Missouri Legislature join me in asking that you rescind the “Dear Colleague Letter on Transgender Students”:

Hon. Ron Richard, President Pro Tem of the Senate

Hon. Todd Richardson, Speaker of the House of Representatives

Hon. Justin Alferman
Hon. Sonya Anderson
Hon. Allen Andrews
Hon. Kurt Bahr
Hon. Chuck Basye
Hon. Nathan Beard
Hon. Mike Bernskoetter
Hon. T.J. Berry
Hon. Linda Black
Hon. Jack Bondon
Hon. Rick Brattin
Hon. Cloria Brown
Hon. Dan Brown
Hon. Wanda Brown
Hon. Eric Burlison
Hon. Jason Chipman
Hon. Kathie Conway
Hon. Steve Cookson
Hon. Robert Cornejo
Hon. Mike Cunningham
Hon. Paul Curtman
Hon. Charlie Davis
Hon. J. Eggleston
Hon. Ed Emery
Hon. Kevin Engler
Hon. Keith English
Hon. Scott Fitzpatrick
Hon. Paul Fitzwater
Hon. Travis Fitzwater
Hon. Lyndall Fraker
Hon. Diane Franklin
Hon. Keith Frederick
Hon. Elaine Gannon
Hon. Dan Hegeman
Hon. Ron Hicks
Hon. Galen Higdon

Hon. Justin Hill
Hon. Denny Hoskins
Hon. Tila Hubrecht
Hon. Tom Hurst
Hon. Jeffery Justus
Hon. Shelley Keeney Taylor
Hon. Mike Kehoe
Hon. Mike Kelley
Hon. Bill Kidd
Hon. Nick King
Hon. Andrew Koenig
Hon. Glen Kolkmeier
Hon. Bart Korman
Hon. Will Kraus
Hon. Mike Lair
Hon. Bill Lant
Hon. Mike Leara
Hon. Doug Libla
Hon. Warren Love
Hon. Steve Lynch
Hon. Kirk Mathews
Hon. John McCaherty
Hon. Andrew McDaniel
Hon. Joe Don McGaugh
Hon. Jeffrey Messenger
Hon. Rocky Miller
Hon. Mike Moon
Hon. Lynn Morris
Hon. Dave Muntzel
Hon. Brian Munzlinger
Hon. Jim Neely
Hon. Bob Onder
Hon. Mark Parkinson
Hon. Mike Parson
Hon. David Pearce

Hon. Don Phillips
Hon. Randy Pietzman
Hon. Patricia Pike
Hon. Dean Plocher
Hon. Jeff Pogue
Hon. Craig Redmon
Hon. Holly Rehder
Hon. Bill Reiboldt
Hon. Tim Remole
Hon. Jeanie Riddle
Hon. Shawn Rhoads
Hon. Rebecca Roeber
Hon. Gary Romine
Hon. Don Rone
Hon. Robert Ross
Hon. Lyle Rowland
Hon. Dave Schatz
Hon. David Sater
Hon. Kurt Schaefer
Hon. Eric Schmitt
Hon. Dan Shaul
Hon. Noel Shull
Hon. Lindell Shumake
Hon. Bryan Sencer
Hon. Chrissy Sommer
Hon. Kathy Swan
Hon. Rob Vescovo
Hon. Nate Walker
Hon. Wayne Wallingford
Hon. Jay Wasson
Hon. John Wiemann
Hon. David Wood
Hon. Paul Wieland
Hon. Kenneth Wilson
Hon. Anne Zerr